

Arent Fox

DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/03/2021

Arent Fox LLP / Attorneys at Law
Boston / Los Angeles / New York / San Francisco / Washington

MEMO ENDORSED

December 3, 2021

VIA ECF

Hon. Valerie E. Caproni
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street, Courtroom 15C
New York, NY 10007

Sara T. Schneider

Partner
415.757.5911 DIRECT
415.757.5501 FAX
sara.schneider@arentfox.com
032914.00000

Re: Dominguez v. Lacoste USA, Inc.
U.S. District Court, Southern District of New York (Foley Square)
Civil Action No.: 1:19-cv-11182-VEC

Dear Judge Caproni:

We represent Defendant Lacoste USA, Inc. ("Defendant" or "Lacoste") in the above-captioned matter. Pursuant to your Order dated September 3, 2021 we are filing this update on behalf of both parties regarding the status of the combined appeals in substantially identical cases that are currently pending before the U.S. Court of Appeals for the Second Circuit. On January 13, 2021, the Second Circuit heard oral argument in Case Number 20-1552, *Calcano v. Swarovski North America Limited*. Accordingly, the parties respectfully request that this matter continue stayed until there is a decision in the combined appeal.

We thank the Court for its time and attention to this matter, and for its consideration of this application.

Respectfully submitted,



Sara T. Schneider

Application GRANTED. The stay in this case shall continue until the resolution of the appeals by the Second Circuit. The parties must file a status report on or before **Friday, March 4, 2022**, explaining whether the stay should continue. In addition, no later than five days after the issuance of an opinion by the Second Circuit relevant to the claims asserted in this case, the parties are directed to submit a joint letter addressing the impact of the decision on this case and the continued need for a stay.

SO ORDERED.



Date: December 3, 2021

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE